

JSM

STATE OF MINNESOTA)
) ss. AFFIDAVIT OF TIMOTHY GREGG
COUNTY OF HENNEPIN)

I, Timothy Gregg, being first duly sworn, hereby depose and state as follows:

1. I am a Special Agent with the Department of Homeland Security (DHS), Homeland Security Investigations (HSI) assigned to the Special Agent in Charge (SAC), St. Paul, Minnesota office and have been so employed since August 2008. Prior to my employment with HSI, I was employed as a Customs and Border Protection Officer for six years and as a Security Policeman with the U.S. Air Force for eight years. I was duly appointed according to law at the time of the events herein and was acting in my official capacity.

2. This affidavit is based on my knowledge and information that was obtained by other agents involved in the investigation. This affidavit does not contain all the facts and circumstances pertaining to this investigation.

3. The testimony of José NAJERA HERNANDEZ a/k/a Jose NASERA HERNANDEZ (hereafter NAJERA HERNANDEZ) is material to a criminal proceeding filed under seal in the United States District Court, District of Minnesota, entitled In the Matter of the Search of Curry N Noodles, A Restaurant Located at 802 Mainstreet in Hopkins, Minnesota, Case Number 14-mj-360 (JSM).

4. NAJERA HERNANDEZ is a native and citizen of Mexico who is illegally or unlawfully present in the United States. NAJERA HERNANDEZ illegally entered into the United States on October 1, 2003.

SCANNED

MAY 22 2014

U.S. DISTRICT COURT ST. PAUL

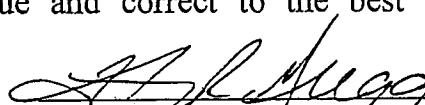
5. On May 19, 2014, NAJERA HERNANDEZ was encountered in Hopkins, Minnesota, as an employee unauthorized to work at Curry N Noodles restaurant. Prior to this, NAJERA HERNANDEZ was a target of a drug investigation by another HSI agent.

6. NAJERA HERNANDEZ was interviewed by HSI agents on May 19, 2014. During the interview, NAJERA HERNANDEZ provided statements that are material to the government in that he identified information material to possible criminal charges against the current and former owners of Curry N Noodles, including Prem GOLLAPALLI, Lalitha EDPUGANTI, and Sreeram POTHULA, of unlawful hiring, bringing in and harboring certain aliens, and conspiracy.

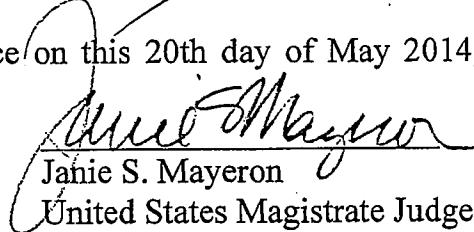
7. NAJERA HERNANDEZ has been placed under removal or deportation proceedings that would otherwise likely result in his removal from the United States prior to the completion of any criminal charges resulting from the ongoing investigation into Curry N Noodles.

8. Because of the impending deportation, it would be impractical to secure the presence of NAJERA HERNANDEZ by subpoena.

All statements contained in this affidavit are true and correct to the best of my knowledge.


Timothy Gregg, Special Agent
Homeland Security Investigations

Sworn to before me and subscribed in my presence on this 20th day of May 2014, at Minneapolis, Minnesota.


Janie S. Mayeron
United States Magistrate Judge